IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9108 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

MANSUKHBHAI A KHAKHARIA

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Appearance:

MR HARDIK C RAWAL for Petitioner

MR GM JOSHI for Respondent No. 1

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CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 27/09/2000

ORAL JUDGEMENT

#. Rule. Learned Counsel for the respondent waives service of rule.

#. By way of this petition under Articles 14, 226 and 227 of the Constitution the petitioner challenges the

order made by the Labour Court Jamnagar, in Ref.(IESO) No.1/98. There is a consensus that a substantive reference case arising from the termination of service of the respondent is pending in the Labour Court and the same is required to be decided on merits. On the concession of the respondent, without entering into the merits of the impugned order, the same is quashed and it is ordered that the observations made therein shall not influence the decision of the main industrial dispute between the parties. Petition is allowed accordingly. Rule is made absolute.

kks